

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F038121 American Vantage Companies v. Table Mountain Rancheria
Respondent's petition for rehearing filed herein is denied.

F040821 In re H. A. et al., Minors
Oral argument having been waived in the above-entitled cause in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F040821 In re H. A. et al., Minors
The orders terminating parental rights are reversed pursuant to the terms of this court's decision in In re H. A. et al. F040764.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040322 People v. Calderon
This court's order of August 22, 2002, dismissing the appeal in the above-entitled action is vacated and the appeal is reinstated.

F040764 In re H.A. et al., Minors
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F040764 In re H.A. et al., Minors

The orders terminating parental rights are reversed. On remand, the juvenile court is directed to conduct a limited remand restricted to insure whether, one, the Santa Ynez Band received proper notice under the ICWA, and, two, the tribe has determined that the children are eligible for membership in the tribe. Provided proof of proper notice as detailed herein and a determination by the Santa Ynez Band that the children are ineligible for membership in the tribe, the court shall then reinstate its orders terminating parental rights. Alternatively, the court should proceed according to the dictates of the ICWA. Vartabedian, Acting P.J.

We concur: Buckley, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038393 People v. Chacon

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F038393 People v. Chacon

Chacon's state prison sentence is stricken from the judgment. The matter is remanded for a hearing at which the court shall exercise the discretion that Penal Code section 1170.19(a)(4) grants to a criminal court to order a juvenile disposition after a criminal trial on a discretionary direct file. After the exercise of that discretion, the court shall prepare an amended abstract of judgment. Otherwise, the judgment of conviction is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE
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F038771 People v. Bearden

The judgment is affirmed. Cornell, J.

We concur: Ardaiz, P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039272 Adoption of K.G., a Minor

The judgment and order denying appellant's petition to set aside the adoption of K.G. is affirmed. Dibiaso, Acting P.J.

We concur: Buckley, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041316 In re Krystine C., a Minor

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F034893 In re Marriage of Michelle and Casey Hashimoto

Pursuant to this court's order filed on September 12, 2002, its prior orders and letters to appellant and appellant's failure to file her opening brief, the appeal in the above entitled action is dismissed.

F037697 People v. Blancas

The judgment is affirmed. Ardaiz, P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041140 In re Basilio R., a Minor

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039601 People v. Ruiz

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
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F039601 People v. Ruiz

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038372 CLS Investments et al. v. Superior Court of Stanislaus Co.; Lyn Bright et al.
F038373 CLS Investments et al. v. Superior Court of Stanislaus Co.; Lyn Bright et al.

The petitions are granted insofar as we direct the trial court to vacate its orders concerning appointment of the LIT dated March 8, 2001, May 17, 2001, and May 31, 2001. The stay filed by this court on June 5, 2002, is extended immediately to all parts of the May 31, 2001 Order, which shall remain stayed until remittitur is issued. The parties shall each bear their own costs. Vartabedian, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038906 In re Charles A., a Minor.

The true finding on count 2 is reversed and the imposition of the stayed 15 years to life on that count is ordered stricken. The trial court shall correct the commitment order accordingly and deliver a copy of the corrected order to the appropriate authorities. In all other respects, the judgment is affirmed. Vartabedian, J.

We concur: Ardaiz, P.J. ; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041253 Espinoza v. CNA Commercial Lines et al.

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F038066 People v. Walker

The judgment is affirmed. Cornell, J.

We concur: Ardaiz, P.J. ; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041183 People v. Burgess

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F041477 Gina B. v. Superior Court, Merced; Merced Co. Dept. Human Services

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041492 Ary v. TAJ Partnership

No brief having been filed by appellant after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039444 People v. Pavan

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039444 People v. Pavan

The abstract of judgment is amended to reflect that in case No. 1013321, appellant's conduct credits were 14 days and his total credits were 45 days. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]